

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FINANCE AND CLAIMS

Call to Order: By **CHAIRMAN TRUDI SCHMIDT**, on March 31, 2007 at 11:00 A.M., in Room 317-A Capitol.

ROLL CALL

Members Present:

Sen. Trudi Schmidt, Chairman (D)
Sen. Keith Bales (R)
Sen. Gregory D. Barkus (R)
Sen. John Brueggeman (R)
Sen. John Cobb (R)
Sen. Mike Cooney (D)
Sen. Steven Gallus (D)
Sen. Ken (Kim) Hansen (D)
Sen. Bob Hawks (D)
Sen. Rick Laible (R)
Sen. Lane L. Larson (D)
Sen. Dave Lewis (R)
Sen. Bill Tash (R)
Sen. Mitch Tropila (D)
Sen. David E. Wanzienried (D)
Sen. Dan Weinberg (D)
Sen. Carol Williams (D)

Members Excused:

Sen. Greg Lind (D)
Sen. Corey Stapleton (R)

Members Absent: None.

Staff Present: Prudence Gildroy, Committee Secretary
Taryn Purdy, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: None.

Executive Action: HB 820; HB 819

00:00:00 Reconvene

EXECUTIVE ACTION ON HB 820

Department of Justice

00:01:18 **Motion:** SEN. COBB moved that AMENDMENT HB082025.APG BE ADOPTED.

EXHIBIT(fcs69a01)

Discussion:

00:01:43 Sen. Cobb

00:02:32 **Vote:** Motion carried 17-2 by voice vote.

00:02:49 **Motion:** SEN. LEWIS moved that AMENDMENT HB082020.APG BE ADOPTED.

EXHIBIT(fcs69a02)

Discussion:

00:02:53 Sen. Lewis

00:03:54 Larry Fasbender, Department of Justice

00:04:55 Sen. Lewis

00:05:09 **Vote:** Motion carried 16-1 by voice vote with SEN. WANZENRIED voting no. Sen. Tropila voted aye by proxy.

00:05:26 **Motion:** SEN. GALLUS moved that AMENDMENT HB082021.APG BE ADOPTED.

EXHIBIT(fcs69a03)

Discussion:

00:06:00 Sen. Gallus

00:07:41 Sen. Barkus to Sen. Gallus

00:08:32 Larry Fasbender

00:09:19 **Vote:** Motion failed 7-12 by roll call vote with SEN. BRUEGGEMAN, SEN. COBB, SEN. COONEY, SEN. GALLUS, SEN. LARSON, SEN. SCHMIDT, and SEN. WILLIAMS voting aye. SEN. LIND, SEN. STAPLETON, SEN. TASH, SEN. TROPILA voted no by proxy.

EXECUTIVE ACTION ON HB 819

00:11:07 **Motion/Vote:** SEN. SCHMIDT moved TO OPEN HB 819 FOR PURPOSES OF AMENDMENT. Motion carried unanimously by voice vote.

00:11:28 **Motion:** SEN. WILLIAMS moved AMENDMENT HB081904.APG REDUCING THE AMOUNT BY HALF AND MAKING IT OTO.

EXHIBIT(fcs69a04)

Discussion:

00:12:30 Sen. Williams

00:13:31 Sen. Barkus

00:14:06 Sen. Williams

00:14:33 Sen. Brueggeman

00:14:50 Sen. Cooney to Sen. Williams

00:15:45 Sen. Weinberg to Sen. Williams

00:16:17 Taryn Purdy, Legislative Fiscal Division, to Sen. Williams

00:16:39 Sen. Bales to Sen. Williams

00:17:04 **Vote:** Motion carried 17-1 by voice vote with SEN. WANZENRIED voting no. Sen. Tropila and SEN. STAPLETON voted aye by proxy.

00:17:23 **Motion/Vote:** SEN. HAWKS moved that TO CLOSE HB 819 AND THAT HB 819 BE CONCURRED IN AS AMENDED. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 820

00:17:55 Taryn Purdy re: HB082035.APJ

00:18:48 **Vote: Motion carried unanimously by voice vote. SEN. STAPLETON and SEN. TASH voted aye by proxy.**

Public Comment:

00:19:11 Don Hargrove, Montana Meth Project

00:25:05 Eric Burke, MEA-MFT

00:27:29 Tom Schneider, Montana Public Employees Association

00:27:54 Mike Ruppert, CEO, Boyd Andrew Community Services

Section D

00:30:40 **Motion: SEN. GALLUS moved that AMENDMENT HB082012.APG BE ADOPTED.**

EXHIBIT(fcs69a05)

Discussion:

00:31:27 Sen. Gallus

00:34:09 Sen. Bales

EXHIBIT(fcs69a06)

00:40:29 Sen. Gallus to Director Mike Ferriter, Department of Corrections

00:47:29 Gary Hamel, Department of Corrections

00:56:39 Sen. Laible to Gary Hamel

00:58:32 Sen. Laible to Director Ferriter

01:00:04 Sen. Lewis to Director Ferriter

01:01:40 Sen. Gallus

01:02:07 **Vote: Motion carried 12-6 by voice vote with SEN. BALES and SEN. BARKUS voted no. SEN. BRUEGGEMAN, SEN.**

STAPLETON and SEN. TASH voted no by proxy. SEN. TROPILA voted aye by proxy.

01:02:32 **Motion: SEN. GALLUS moved that AMENDMENT HB082013.APG BE ADOPTED.**

EXHIBIT(fcs69a07)

Discussion:

01:02:55 Sen. Gallus

01:03:56 Sen. Bales to Director Ferriter

01:07:13 **Vote: Motion carried 17-1 by voice vote with SEN. BALES voting no. SEN. STAPLETON and SEN. TASH voted aye by proxy.**

01:07:37 **Motion: SEN. GALLUS moved that AMENDMENT HB082024.APG BE ADOPTED.**

EXHIBIT(fcs69a08)

Discussion:

01:08:11 Sen. Gallus

01:09:41 **Vote: Motion carried unanimously by voice vote. SEN. STAPLETON and SEN. TASH voted aye by proxy.**

01:10:02 Sen. Barkus to Gary Hamel

01:10:41 Rhonda Schaefer, Department of Corrections

01:11:31 Sen. Gallus to Sen. Barkus

01:13:08 Recess

02:22:20 Reconvene

02:26:00 Sen. Schmidt to Director Ferriter

02:29:46 Sen. Schmidt closed Section D

Section B

02:31:25 **Motion:** SEN. COBB moved that AMENDMENT HB082023.ALS BE ADOPTED.

EXHIBIT(fcs69a09)

Discussion:

02:31:55 Sen. Cobb

02:33:07 **Vote:** Motion carried by voice vote.

02:33:16 **Motion:** SEN. COBB moved that AMENDMENT HB082024.ALS BE ADOPTED.

EXHIBIT(fcs69a10)

Discussion:

02:33:36 Sen. Cobb

02:35:07 Sen. Wanzenried to Sen. Cobb

02:36:58 Lois Steinbeck, Legislative Fiscal Division

02:38:50 **Vote:** Motion carried by voice vote. SEN. TASH voted aye by proxy.

02:39:03 **Motion:** SEN. COBB moved that AMENDMENT HB082001.ALS BE ADOPTED.

EXHIBIT(fcs69a11)

Discussion:

02:39:24 Sen. Cobb

02:40:24 **Vote:** Motion carried by voice vote. SEN. TASH voted aye by proxy.

02:40:34 **Motion:** SEN. COBB moved that AMENDMENT HB082003.ALS BE ADOPTED.

EXHIBIT(fcs69a12)

Discussion:

02:40:55 Sen. Cobb

02:41:07 **Vote:** Motion carried 14-4 with SEN. BARKUS, SEN. GALLUS, and SEN. LAIBLE voting no. SEN. STAPLETON and SEN. TASH voted no by proxy.

02:41:30 **Motion:** SEN. WEINBERG moved that AMENDMENT HB082011.AKW BE ADOPTED.

EXHIBIT(fcs69a13)

Discussion:

02:41:39 Sen. Weinberg

02:42:31 **Vote:** Motion carried 16-1 by voice vote with SEN. BALES voting no. SEN. TASH voted aye by proxy.

02:42:42 **Motion:** SEN. COBB moved that AMENDMENT HB082012.AKW BE ADOPTED.

EXHIBIT(fcs69a14)

Discussion:

02:42:44 Sen. Cobb

02:43:28 **Vote:** Motion carried 16-1 by voice vote with SEN. LEWIS voting no.

02:43:39 **Motion:** SEN. COBB moved that AMENDMENT HB082012.ALS BE ADOPTED.

EXHIBIT(fcs69a15)

Discussion:

02:43:41 Sen. Cobb

02:44:54 **Vote:** Motion carried by voice vote. SEN. TASH voted aye by proxy.

02:45:13 Sen. Lewis changed his vote on HB082012.AKW to aye.

02:45:27 **Motion:** SEN. COBB moved that AMENDMENT HB082013.AMD BE ADOPTED.

EXHIBIT(fcs69a16)

Discussion:

02:45:29 Sen. Cobb

02:45:57 Marilyn Daumiller, Legislative Fiscal Division

02:46:36 **Vote:** Motion carried by voice vote. SEN. TASH voted aye by proxy.

02:46:44 **Motion:** SEN. COBB moved that AMENDMENT HB082014.AMD BE ADOPTED.

EXHIBIT(fcs69a17)

Discussion:

02:47:13 Marilyn Daumiller

02:48:32 **Vote:** Motion carried by voice vote.

02:48:41 **Motion:** SEN. WEINBERG moved that AMENDMENT HB082014.ALS BE ADOPTED. SEN. TASH voted aye by proxy.

EXHIBIT(fcs69a18)

Discussion:

02:48:43 Sen. Weinberg

02:49:47 **Vote:** Motion carried by voice vote.

02:50:04 **Motion:** SEN. WEINBERG moved that AMENDMENT HB082015.ALS BE ADOPTED.

EXHIBIT(fcs69a19)

Discussion:

02:50:06 Sen. Weinberg

02:51:02 **Vote:** Motion carried by voice vote. SEN. TASH voted aye by proxy.

02:51:13 Sen. Cobb to Marilyn Daumiller

02:51:30 Motion/Vote: SEN. COBB moved TO DELETE LANGUAGE IN HB082014.AMD "IF THE REPORTS ARE NOT RECEIVED, THE FISCAL YEAR 2009 APPROPRIATION IN INDIVIDUAL DEVELOPMENT ACCOUNT IS VOID". Motion carried by voice vote.

02:52:40 Motion: SEN. COBB moved that AMENDMENT HB082016.AKW BE ADOPTED. SEN. TASH voted aye by proxy.

EXHIBIT(fcs69a20)

Discussion:

02:53:04 Sen. Cobb to Marilyn Daumiller

02:53:53 Vote: Motion carried by voice vote.

02:54:03 Motion: SEN. LEWIS moved that AMENDMENT HB082011.ALS BE ADOPTED.

EXHIBIT(fcs69a21)

Discussion:

02:54:33 Sen. Lewis

02:56:47 Sen. Barkus to Sen. Lewis

02:57:06 Vote: Motion carried 14-4 by voice vote with SEN. BALES, SEN. BARKUS, and SEN. LAIBLE voting no. SEN. STAPLETON and SEN. TASH voted no by proxy.

02:57:56 Sen. Schmidt closed Section B

02:58:07 Sen. Barkus to Sen. Cobb

Section D

02:59:11 Motion/Vote: SEN. COBB MOVED A CONCEPTUAL AMENDMENT TO HB 820 TO ADD CONTINGENCY LANGUAGE "UPON PASSAGE AND APPROVAL" TO HB 99 AND THAT THE STATE SPECIAL AMOUNTS BE INCLUDED IN THE BILL FOR THE DEPARTMENT OF LABOR AND INDUSTRY. Motion carried by voice vote. SEN. TASH voted aye by proxy.

03:00:40 Motion: SEN. HAWKS moved that HB 820 BE CONCURRED IN AS AMENDED.

03:00:51 Sen. Bales

03:01:17 Sen. Cooney to Sen. Bales

03:02:06 Sen. Hawks withdrew his motion

03:02:50 Sen. Tropila to Taryn Purdy

03:03:43 Sen. Bales

03:05:10 Sen. Gallus to Sen. Tropila

03:06:14 Sen. Bales

03:06:16 **Motion/Vote: SEN. HAWKS moved that HB 820 BE CONCURRED
IN AS AMENDED. Motion carried 17-0 by voice vote.**

03:07:36 Sen. Cooney

03:07:44 Sen. Bales

RECESS

Recess: 2:18 P.M.

SEN. TRUDI SCHMIDT, Chairman

PRUDENCE GILDROY, Secretary

TS/pg

Additional Exhibits:

EXHIBIT ([fcs69aad.pdf](#))